GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service – Agricultural Marketing Department – Departmental Proceedings against Sri M. Satyanarayana Murthy, the then Assistant Secretary, Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market Committee, Razole, Konaseema District under Rule 172 of A.P.(AP&LS) Markets Rules, 1969 read with Rule 20 of A.P.C.S.(CC&A) Rules 1991 – Article of Charges - Issued.

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AGRICULTURE AND CO-OPERATION(VIG-II) DEPARTMENT

G.O.Rt.No.150 **Dated:12.02.2024**

Read:-

E-file No: AGC05-16021/2/2024-DISCPLR SEC-MRKT(Computer No:2316250) dated:02.02.2024 received from the C&DoAM, A.P., Guntur.

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O R D E R:

It is proposed to hold an inquiry against Sri M. Satyanarayana Murthy, the then Assistant Secretary, Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market Committee, Razole, Konaseema District in accordance with the procedure laid down under Rule 172 of A.P.(AP&LS) Markets Rules, 1969 read with Rule 20 of A.P.C.S. (CC&A) Rules 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure – I & II). A list of documents by which and a list of witnesses by whom the article of charge is proposed to be sustained are also enclosed (Annexure –III & IV).

3. Sri M. Satyanarayana Murthy, the then Assistant Secretary, Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market Committee, Razole, Konaseema District is directed to submit his written statement of defence within 10 days on receipt of this order.

4. Sri M. Satyanarayana Murthy, the then Assistant Secretary, Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market Committee, Razole, Konaseema District is further informed that an inquiry will be held only in respect of those article of charges that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri M. Satyanarayana Murthy, the then Assistant Secretary, Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market Committee, Razole, Konaseema District is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

6. The attention of Sri M. Satyanarayana Murthy, the then Assistant Secretary, Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market

(P.T.O.)

Committee, Razole, Konaseema District is invited to Rule 24 of the A.P.C.S (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to hear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed Sri M. Satyanarayana Murthy, the then Assistant Secretary, Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market Committee, Razole, Konaseema District is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S (Conduct) Rules, 1964.

7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PARDESH)

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Satyanarayana Murthy,
The then Assistant Secretary,
Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market Committee, Razole, Konaseema District.
(Through: The Commissioner & Director of Agricultural Marketing, A.P., Guntur)

Copy to:

The Commissioner & Director of Agricultural Marketing, A.P., Guntur (with a request to serve the order on the individual and send the served copy with dated acknowledgment to Government)
SF/SC.

// FORWARDED::BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI M. SATYANARAYANA MURTHY, THE THEN ASSISTANT SECRETARY, AGRICULTURAL MARKET COMMITTEE, YALAMANCHILI, ANAKAPALLI DISTRICT AND PRESENTLY WORKING AS SECRETARY GRADE-III, AGRICULTURAL MARKET COMMITTEE, RAZOLE, KONASEEMA DISTRICT

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Article of Charge:

"That Sri M. Satyanarayana Murthy, the then Assistant Secretary, Agricultural Market Committee, Yalamanchili, Anakapalli District and presently working as Secretary Grade-III, Agricultural Market Committee, Razole, Konaseema District has willfully committed procedure lapse in issuing Permit Book No.26 on 04.04.2022 to Sri Venkateswara Cashew-nut Industry, Prop. Killadi Demullu, Rajupeta, Anakapalli District, whose license had expired on 31.03.2022, without verifying the validity period of license. And this Permit Book is misused by another un-licensed trader i.e., Sri Shyamala Traders Prop. Killadi Shyamala Kumari, Rajupeta and processed for granting of license without initially acting against the non license trader in AMC, Yelamanchili of Anakapalli District duly violating the provisions under Section 48 & 52 and bye law 24(7) & 24(8) and Markets Act & Rules due to his gross negligence, huge amount of Market Fee was deprived to Agricultural Market Committee, Yalamanchili and consequent loss or revenue.

Thus, he has failed to maintain absolute integrity, devotion to duty and his conduct is unbecoming of the public servant and contravened Rule 3 of A.P.C.S. (Conduct) Rules, 1964 and also violated the Rule 31 of A.P.(AP&LS) Markets Rules, 1969".

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI M. SATYANARAYANA MURTHY, THE THEN ASSISTANT SECRETARY, AGRICULTURAL MARKET COMMITTEE, YALAMANCHILI, ANAKAPALLI DISTRICT AND PRESENTLY WORKING AS SECRETARY GRADE-III, AGRICULTURAL MARKET COMMITTEE, RAZOLE, KONASEEMA DISTRICT ARE PROPOSED TO BE SUSTAINED.

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Imputation of Charge:

Basing on reports of the District Agricultural Trade and Marketing Officer, Anakapalli as well as the Regional Joint Director of Marketing, Visakhapatnam, the following lapses were identified:-

1. Issue of permit Book No.26 on 04.04.2022 to Sri. Venkateswara Cashewnut Industry Prop. Killadi Demullu, Rajupeta, is irregular as the trader has no license and did not renewed the license beyond 31.03.2022.

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2. The Secretary Grade-I, AMC Yelamanchili has renewed the license to the above trader on 04.07.2023 after lapse of one year three months.
3. The trader has not submitted returns from April-2020 to February - 2022.
4. The resultant Market Fee on the above monthly returns are not collected.
5. The permit book misused by way of utilization by another non AMC licensed trader Sri Shyamala Industry Prop. Killadi Shyamala Kumari, Rajupeta which is against to the rules in force.
6. The permit book was used during the period from 23.04.2022 to 12.05.2022.
7. From the above date, the Secretary AMC Yelamanchili has not collected used permit book from the trader even a lapse of more than one year.
8. Even after collection of Market Fee from the above permit book after more than one year no interest on Market fee collected as per the rules.
9. Monthly returns from Sri. Venkateswara Cashewnut Industry Prop. Killadi Demullu, Rajupeta was not collected from April-2020 to August-2023 (i.e., monthly returns for 40 months due).
10. The resultant Market Fee from the above trader was not collecting against the due returns April-2020 to August-2023.
11. The Secretary Grade-I, AMC Yelamanchili has not obtained monthly purchase and sale data from Commercial Tax Department from date of obtaining GST even after repeated Memo's issued.
12. The Secretary Grade-I, AMC, Yelamanchili has issued new AMC License on 23.06.2023 for the period from 01.04.2021 to 31.03.2026. issued to the Sri Shyamala Industry Prop. Killadi Shyamala Kumari, Rajupeta.
13. The Secretary Grade-I, AMC, Yelamanchili has not obtained monthly returns from the above traders from April- 2021 to August-2023. i.e., monthly returns for 29 months due).
14. The resultant Market Fee and returns are due from the above trader from April-2021 to August-2023.
15. Assessments of the above trader are pending from 2021 -2022 to 2022-2023.
16. The Secretary Grade-I, AMC, Yelamanchili simply in his statement noted as invoice-1, invoice-2 etc. which are only computer typed sheets and he has not acted in obtaining GST e-Way bills either from trader or Commercial Tax Department.
17. As seen from the statement of permit book used, Sri. Shyamala Industries, Rajupeta given invoice no-1 to permit no.26/626 where as for permit No. 26/650 the invoice No. shown as 57. As seen from this 57 invoices were generated, but they have used 23 AMC permits. The Secretary Grade-I, AMC, Yelamanchili did not verified the balance 34 invoices generated between the dates 23.04.2022 to 12.05.2022. There must be e-GST Waybill along with invoice while transporting the cashew-nut. These items should be cross checked by Secretary Grade-I, AMC, Yelamanchili but he failed to do so.
18. For the permits 26/638, 26/647 and 26/648 the original and triplicate both of them used so market fee should have been collected for 6 permits as he used 6 permits.
19. Apart from the permit book market fee, The Secretary Grade-I, AMC, Yelamanchili has not collected single rupee of market fee from the above two traders from last three years.

(Contind...5)

By the above acts, he has failed to maintain absolute integrity, devotion to duty and conduct unbecoming of the public servant and contravened Rule 3 of A.P.C.S. (Conduct) Rules, 1964 violated the Rule 31 of A.P.(AP&LS) Markets Rules 1969 and by his actions the Charged Officer rendered himself liable for disciplinary action. Hence, the Charge.

ANNEXURE - III

LIST OF DOCUMENTS ON THE BASIS OF WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI M. SATYANARAYANA MURTHY, THE THEN ASSISTANT SECRETARY, AGRICULTURAL MARKET COMMITTEE, YALAMANCHILI, ANAKAPALLI DISTRICT AND PRESENTLY WORKING AS SECRETARY GRADE-III, AGRICULTURAL MARKET COMMITTEE, RAZOLE, KONASEEMA DISTRICT

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Reports of District Agricultural Trade & Marketing Officer, Anakapalli, dated:09.10.2023 and dated:21.11.2023 as well as report of Regional Joint Director of Marketing, Visakhapatnam, dated:16.12.2023.

ANNEXURE - IV

LIST OF WITNESS BY WHOM BY THE ARTICLE OF CHARGE FRAMED AGAINST SRI M. SATYANARAYANA MURTHY, THE THEN ASSISTANT SECRETARY, AGRICULTURAL MARKET COMMITTEE, YALAMANCHILI, ANAKAPALLI DISTRICT AND PRESENTLY WORKING AS SECRETARY GRADE-III, AGRICULTURAL MARKET COMMITTEE, RAZOLE, KONASEEMA DISTRICT ARE PROPOSED TO BE SUSTAINED.

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1. The Regional Joint Director of Marketing, Visakhapatnam.
2. The Regional Deputy Director of Marketing, Visakhapatnam.
3. The District Agricultural Trade & Marketing Officer, Anakapalli

CHIRANJIV CHOUDHARY, IFS,
PRINCIPAL SECRETARY TO GOVERNMENT